

ASSEMBLY BILL

No. 472

Introduced by Assembly Member Correa

February 14, 2003

An act to amend Section 101315 of the Health and Safety Code, relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 472, as introduced, Correa. Bioterrorism preparedness and other public health threats: federal funding.

Existing law establishes procedures and requirements to govern the allocation to, and expenditure by, local health jurisdictions of federal funding received for the prevention of, and response to, bioterrorist attacks and other public health emergencies under specified circumstances. Existing law provides that federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act commencing with the 2003–04 fiscal year.

This bill would require, beginning with the 2003–04 fiscal year, that in any fiscal year in which the Budget Act is not enacted by July 1 of that fiscal year, any federal funding received by the state for bioterrorism preparedness and emergency response is continuously appropriated to the department for those purposes, in accordance with the procedures and requirements established under existing law.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 101315 of the Health and Safety Code is amended to read:

101315. (a) (1) Federal funding received by the State Department of Health Services for bioterrorism preparedness and emergency response is subject to appropriation in the annual Budget Act commencing with the 2003–04 fiscal year.

(2) *Notwithstanding Section 13340 of the Government Code and paragraph (1), beginning with the 2003-04 fiscal year, in any fiscal year in which the Budget Act is not enacted by July 1 of that fiscal year, any federal funding received by the state for bioterrorism preparedness and emergency response is hereby continuously appropriated to the State Department of Health Services for the purposes specified in this article.*

(b) This article shall govern those instances when federal funding is allocated and expended for public health preparedness and response by local health jurisdictions for the prevention of, and response to, bioterrorist attacks and other public health emergencies pursuant to the federally approved collaborative state-local plan.

(c) A local health jurisdiction shall be ineligible to receive funding from appropriations made for purposes of this article when that local health jurisdiction receives directly or through another local jurisdiction federal funding for the same purposes. Moneys appropriated in the annual Budget Act for purposes of this article that would have been allocated to a local health jurisdiction that is ineligible, pursuant to this subdivision, to receive funding shall be allocated, as provided in Section 101317, among the remaining local health jurisdictions that are eligible.

(d) Funds appropriated for the purposes of this article shall not be used to supplant funding for existing levels of service and shall only be used for purposes specified in Section 101317.

(e) This article shall apply only when local health jurisdictions are designated by a federal or state agency to manage the funds for public health preparedness and response to bioterrorist attacks and other public health emergencies, pursuant to the federally approved collaborative state-local plan.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety

1 within the meaning of Article IV of the Constitution and shall go
2 into immediate effect. The facts constituting the necessity are:
3 In order to best enhance California's ability to prepare for and
4 respond to the threat of terrorism without interruption if the
5 Budget Act of 2003 is not enacted in a timely manner, it is
6 necessary that this act take effect immediately.

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